

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 17

UNITED STATES PATENT AND TRADEMARK OFFICE

**MAILED**

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

APR 29 2002

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte SOUMEN CHAKRABARTI et al.

Appeal No. 2001-1557  
Application No. 08/947,221

ORDER REMANDING TO EXAMINER

On July 22, 2000, appellants submitted a supplemental Appeal Brief (Paper No. 15) which appeared to include the submission of an amendment cancelling claim 13 on page 2. Section 1207 of the Manual of Patent Examining Procedure (MPEP) (7th Ed., Rev. 1, February 2000) states:

A new amendment, new affidavit, or other new evidence must be submitted in a paper separate from the appeal brief.

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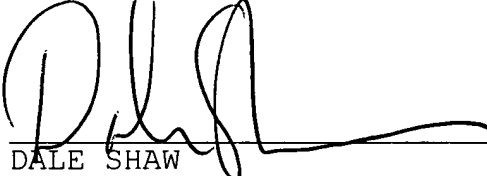
If the amendment to cancel claim 13 is to be entered, the examiner should request that appellants resubmit the amendment as a separate paper.

Accordingly, it is

ORDERED that the application is remanded to the Examiner to inform appellants to submit the amendment located on page 2 of the supplemental Appeal Brief filed July 22, 2000 (Paper No. 15) in proper format and on a separate paper, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES



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